MTSA/ISPS POLICY ADVISORY COUNCIL
October 26, 2004

Issue/Discussion/Decision
Shipyard Security
41-04

FINAL

Issue (41-04): What security is provided in shipyards?

Decision:

Vessel Responsibilities While in Shipyards

An approved vessel security plan should include provisions the vessel will take when it is being received by a shipyard, to include the occurrence of sea trials. Under the guidance of Navigation and Vessel Inspection Circular 04-03 Change 1, the vessel may use variable security measures for these periods when it is temporarily out of service, so long as these variable means are listed in the Vessel Security Plan (VSP). Temporary amendments, as described in Issue Paper 36-04, will be allowed at the vessel's first shipyard visit after July 1, 2004. To avoid an immediate surge of plans to the Marine Safety Center, it is recommended that vessels submit their amended plans to the Marine Safety Center six months before the date of arrival at their next scheduled shipyard visit.

A vessel will be considered to be without a VSP/SSP when the Flag State revokes the ISSC or COI. At this point, security of the vessel remains entirely with the shipyard. Separate agreements may be made between the vessel and the shipyard regarding security and may be based upon factors such as the extent to which the ship's personnel remains on board and retains the capability to exercise their duties. When the vessel and the shipyard need to coordinate security needs and procedures, the recommended format is the Declaration of Security.

Unregulated Shipyards

The following guidance is recommended for the COTP's to consider for inclusion in Area Maritime Security Plans or Facility Security Plans, where applicable, in order to reduce threats during Vessel to Facility Interfaces when a vessel is being serviced at a ship yard.

1.) Conduct a vulnerability assessment, documenting vulnerabilities on Form 6025 and mitigate the vulnerabilities identified.
2.) Designate someone, such as a shift supervisor or foreman, as the point of contact for security matters.
3.) Designate restricted areas and institute measure to control access to these spaces.
4.) Establish communication procedures that the shipyard would follow to report suspicious activities, breaches of security, and transportation security incidents, consideration being given to local law enforcement authorities as well as federal law enforcement authorities.
5.) Document the operational hours of the shipyard and measures that it takes to control access to the property and vessels being serviced or built on the property.

6.) Designate times (heightened MARSEC levels, after working hours, etc.) when visitors are not permitted on shipyard property and the protocol for the removal of such visitors, or anyone acting suspiciously.

7.) Establishing procedures of how the shipyard would receive information regarding changes in Marsec levels.

8.) Establish a system by which the shipyards and vessels communicate their respective security postures and needs. The recommended format to capture such agreements is the Declaration of Security.

Regulated Shipyards

In accordance with 33 CFR 105.240, a shipyard's approved facility security plan (FSP) should include the provisions the facility will take with regards to providing security for the vessels which they are receiving. Separate agreements may be made between the vessel and the shipyard regarding security and may be based upon factors such as the extent to which the ship's personnel remains on board and retains the capability to exercise their duties. When the vessel and the shipyard need to coordinate security needs and procedures, the recommended format is the Declaration of Security.

Sea Trials

In accordance with International Maritime Organization MSC Circular 1111, the security of ships undertaking sea trials is the responsibility of the State whose flag the ship is flying at the time of the trials. Therefore, the burden of security will rest with the vessel during sea trials. If the vessel is still under construction, has not been delivered, and has not yet received its ISSC or COI, then the responsibility rests with the facility to provide security.

In all cases

The attached matrix will guide those interfaces occurring between vessels and shipyard facilities.